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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 30, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Rick Centner	FILE NO. D020184D
SUBJECT Request by Rick Centner for a Conditional Use Permit to allow a phased commercial development including Phase 1) a 30,000 square foot vehicle storage area, four shell buildings totalling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit; Phase 2) two additional shell buildings totalling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area; and Phase 3) four additional shell buildings totalling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel in the first phase of development. The proposed project is in the Commercial Service land use category and is located at 538 Sandydale Drive, on the southeast portion of the intersection of Sandydale Drive and Briarwood Lane, in the community of Nipomo. The site is in the South County Inland planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Conditional Use Permit D020184D based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 5, 2005 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Geology and Soils, Noise, Public Services/Utilities, Transportation/Circulation, and Water, and are included as conditions of approval.			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-326-051	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.112.020 – South County Areawide Standards. Circulation, transit-oriented development Sec. 22.112.080 – Nipomo Urban Area Standards, communitywide. Connection to sewer Sec. 22.112.080.D – Commercial Services Does the project conform to the Planning Area Standards – Yes, see discussion			
EXISTING USES: Tree service company, accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / residential South: Commercial Service / commercial use East: Commercial Service / commercial use West: Residential Suburban / residential			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: February 3, 2005

PROJECT ANALYSIS

Ordinance Compliance:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None	1.12 acres
Setbacks		
Front	10 feet	30 feet
Side	10 feet adjacent to residential 0 feet otherwise	10 feet adjacent to residential 0 feet
Rear	0 feet	0 feet
Height	35	16
Parking	18 (Phase I) 24 (Phase I and II) 39 (Phases I, II, and III)	18 30 39
Signs	Per sign ordinance, including Planning Area Standard limit on height of 24 feet	None

Landscaping, Fencing, Screening:

The project includes a preliminary landscaping and fencing plan to provide visual and noise screening from adjacent properties. The applicant has agreed to a six-foot masonry sound wall along the western property boundary, and a six-foot solid wall or fence surrounding the outdoor storage area. This includes a solid wall along the Sandysdale Road frontage to screen the storage area from residents across the street. The landscaping plan includes significant vegetative buffering along the front setback, as well as shade trees in the interior parking lot. All existing eucalyptus trees on the western property boundary are to remain to help visually screen the site from the adjacent residence.

PLANNING AREA STANDARDS: The following section discusses the planning area standards that apply to this project.

Section 22.12.020 Areawide Standards

22.12.020.A – General areawide standards:

1. Compliance with a Countywide Design Plan
2. Groundwater recharge areas

22.12.020.C – Circulation Planning:

1. Public right-of-way dedications.

As conditioned, the project meets these standards. Standard drainage measures and preparation of a Stormwater Pollution Prevention Plan will be required to address the recharge of groundwater areas and to prevent off-site runoff. All appropriate right-of-way dedication for Sandydale Road is existing.

Section 22.112.080 Nipomo Urban Area Standards

22.112.080.A – Community-wide standards:

1. Connection to community sewers.

As proposed, the project meets these standards. Community sewer will be provided through the Nipomo Community Services District.

22.112.080.D – Commercial Services:

1. Limitation on uses. All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the CS land use category may be authorized in compliance with the land use permit requirements of that Section, except: ag processing; animal keeping; drive-in theaters; public assembly and entertainment; sports assembly; petroleum extraction; restaurants larger than 5,000 square feet; grocery stores larger than 5,000 square feet; general retail and personal services that are larger than 2,000 square feet each and that occupy more than 25 percent of the total floor area of a site; offices (except allowable in community gateway projects in Subsection D.4.); lodging uses listed by Table 2-2, Section 22.06.030 in the "Services" use group; concrete, gypsum and plaster products; airfields and landing strips; gas stations; and truck stops. [Amended 1986, Ord. 2257]. The following uses are not permitted on properties that are adjacent to Residential Land Use Categories: collection stations; metal industries-fabricated; recycling and scrap; stone and cut stone products; auto and vehicle repair and service.
2. Site planning – Buildings located at front setback, shall be oriented to the street with outdoor activity and parking to side and rear. Design on-site circulation so that trucks can move forward through the site, except where infeasible because of site area or configuration. Locate loading areas or bays separate from parking aisles and driveways. Landscaping and fencing design shall be similar between uses, with a continuous canopy of trees along streets. When located adjacent to residential land use category, particular attention to building design, signing, fencing, downward-directed lighting, and landscaping.
3. Architecture. Building design shall extend elements that are utilized on the streetfronting sides, such as parapets, facias, cornice lines or roof treatments, around the interior sides of buildings to provide an identity to the total project. Changes in materials shall occur only with an offset in the building facade. Projects that have retail uses or no identified tenants proposed shall utilize door and window moldings, separate shop entrance doors from bay doors, and eaves, awnings or other porch entries.
4. Sign height limitation. Free-standing signs are limited to a height of 24 feet or no higher than the project's building, whichever is less.

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As proposed and conditioned, the project meets these standards. The project will be limited to those allowed uses in the Commercial Services with the exception of those listed in Sec. 22.112.080.D in the Planning Area Standard. The building is located at the front setback with parking to the side and rear to the extent feasible. The front façade is proposed with windows and awning, as well as a split roof elevation to provide additional articulation. Residential land use categories exist to the north and west; therefore, landscaping, berming, and a sound wall have been provided to lessen visual impacts. Proposed signs will be required to comply with the sign height limitation of 24 feet or no higher than the proposed building.

COMMUNITY ADVISORY GROUP COMMENTS: The Nipomo Community Advisory Council heard the item at their March 22, 2004 meeting and recommended to support the project with the following concerns:

- There should be sufficient landscaping and screening for the residential interface on the west side of the property.
- Consideration should be given to non-point source pollution from the intended and current use with paving in the vehicle storage area. There should be substantial upgrades to the buildings aesthetics. There should be a wall on the residential or south side. Lights should be contained to the site. The setbacks should be at the minimum as set out in the LUO. Requested that there be a smooth interface from commercial to residential.

Staff response: Planning staff worked with the applicant to include additional screening and retention of existing trees between residences and the project. The applicant has agreed to noise mitigation measures, including a solid masonry sound wall on the western property line and a restriction on future noise-generating uses. Water pollution from surface runoff of the vehicle storage area will be addressed through the Stormwater Pollution Prevention Plan. Planning staff also worked with the applicant to provide a front façade with windows and awnings, as well as a split roof elevation to provide additional articulation. The applicant will be required to submit an outdoor lighting plan including height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties.

AGENCY REVIEW:

Public Works – Recommend approval with conditions. Street improvements required with Phase I. Road fees will be collected with each building permit. Drainage plan for Phase I can include whole project or it can be modified and resubmitted for each phase.

Environmental Health – Stock conditions for community water and on-site septic. Soil testing recommended.

CDF - See attached fire safety letter dated February 23, 2004.

Nipomo Community Services District - Issued an intent-to-serve letter for the project with conditions.

APCD - Includes recommendations for dust control, developmental burning, and mixed-use incompatibilities.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 5, 2005 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Geology and Soils, Noise, Public Services/Utilities, Transportation/Circulation, and Water, and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the commercial shell buildings do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the commercial shell buildings are similar to, and will not conflict with the commercial/industrial uses to the south and east, and walls, berms, and landscaping have been provided to screen the development from adjacent residential uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Sandydale Road, a local road constructed to a level able to handle any additional traffic associated with the project

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. a phased commercial development including Phase 1) a 30,000 square foot vehicle storage area, four shell buildings totaling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit; Phase 2) two additional shell buildings totaling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area; and Phase 3) four additional shell buildings totaling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel in the first phase of development.
 - b. maximum height is 35 from average natural grade.
2. The following uses are not permitted on the property:

Agricultural processing; animal keeping; drive-in theaters; public assembly and entertainment; sports assembly; petroleum extraction; restaurants larger than 5,000 square feet; grocery stores larger than 5,000 square feet, general retail and personal services that are larger than 2,000 square feet each and that occupy more than 25 percent of the total floor area of a site; offices; lodging uses listed by Table 2-2, Section 22.06.030 in the "Services" use group; concrete, gypsum and plaster products; airfields and landing strips; gas stations; truck stops; collection stations; metal industries-fabricated; recycling and scrap; stone and cut stone products; auto and vehicle repair and service.
3. Free-standing signs are limited to a height of 24 feet or no higher than the project's buildings, whichever is less.

Conditions required to be completed at the time of application for construction permits

Site Development

4. **At the time of application for construction permits**, submit a revised site plan and landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. A six-foot solid masonry sound wall along the western property boundary;
 - b. A six-foot solid perimeter wall or fence surrounding the outdoor storage area, including along the Sandydale Road frontage from driveway entrance to west property line;
 - c. A final landscaping plan in accordance with Section 22.16 of the LUO for review and approval by the Department of Planning and Building. The final landscaping plan shall include a three-foot high berm along the Sandydale Road street frontage in addition to the mix of trees and shrubs shown on the approved preliminary landscape plan.
5. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

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6. **At the time of application for construction permits**, roads and/or streets to be constructed to the following standards:

- a. Sandydale Road widened to complete an A-2 urban section fronting the property with curb, gutter, and sidewalk.

Improvement Plans

7. **At the time of application for construction permits**, improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:

- a. Street plan and profile.
b. Drainage ditches, culverts, and other structures (if drainage calculations require).

8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

9. **At the time of application for construction permits**, submit complete drainage calculations to the Department of Public Works for review and approval.
10. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
11. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
- a. granted to the public in fee free of any encumbrance.
b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
c. reserved as a drainage easement in favor of the owners and assigns.

Vector Control and Solid Waste

12. **At the time of application for construction permits**, a determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Safety

13. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated February 23, 2004.

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Services

14. **At the time of application for construction permits**, the applicant shall provide a letter from the Nipomo Community Services District stating they are willing and able to service the property.
15. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

16. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Environmental Mitigation Measures

17. **Prior to issuance of grading and construction permits for both road improvements and individual lot development**, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.
 - a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stock-pile areas should be sprayed daily as needed.
 - d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
18. **Prior to issuance of grading and construction permits**, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the Parks Division shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.
19. In the event no technically feasible alternatives are available other than developmental burning, the applicant shall contact the APCD and California Department of Forestry to obtain a burn permit and comply with permit requirements.
20. **Prior to issuance of construction permits**, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP).
21. **Prior to issuance of construction permits**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate

separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met would be required prior to issuance of construction permits.

22. **Prior to issuance of construction permits**, construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

23. **Prior to final inspection**, the applicant shall construct a six-foot solid masonry wall along the western property boundary to provide a noise level of 60 dB Ldn or less outside and a noise level of 45 dB or less inside. The wall shall be located so that there will be no impacts to existing eucalyptus trees on the west side of the property.
24. Eucalyptus trees at the western property boundary shall be marked for protection (e.g., with flagging) and fenced on the project side prior to any grading. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
25. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
26. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
27. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
28. **Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 1/2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

On-going conditions of approval (valid for the life of the project)

29. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a

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construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

30. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.
31. **Continuing for the life of the project**, no noise-generating activities on the project site that measure 60 dB Ldn at any property line shall occur outside of the buildings.
32. Outdoor material shall not be stacked or stored higher than six feet.

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Notice of Completion & Environmental Document Transmittal

UPS mailing: State Clearinghouse, 1400 Tenth St., Sacramento, CA 95814 (916)445-0613

U.S. Postal mailing: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 SCH#

SCH#

Project Title: Centner Conditional Use Permit ED 04-546

Lead Agency: County of San Luis Obispo

Contact Person: Brian Pedrotti

Street Address: County Government Center, Rm 310

Telephone: 805/781-5600

City: San Luis Obispo

Zip: 93408-2040

County: San Luis Obispo

Project Location

County: San Luis Obispo City/Nearest Community: Nipomo

Cross Streets: Sandysdale Drive and North Frontage Zip Code: 93444 Total Acres: 1.12 acres

Assessor's Parcel Number: 091-326-051 Section: NA Twp: NA Range: NA Base: NA

Within 2 miles: State Hwy. #: 101 Waterways: Airports: NA

Railways: NA Schools: Lucia Mar Unified School District.

Document Type

CEQA: ☐ NOP ☐ Supplement/Subsequent
☐ Early Cons EIR (Prior SCH No.)
☒ Neg Dec ☐ Other _____
☐ Draft EIR

NEPA: ☐ NOI
☐ EA
☐ Draft EIS
☐ FONSI

Other: ☐ Joint Document
☐ Final Document
☐ Other _____

Local Action Type

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☒ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division(Subdivision,etc.) ☐ Other _____

Development Type

☐ Residential: Units NA Acres NA ☐ Water Facilities Type NA MGD NA
☐ Office: Sq.ft NA Acres NA Employees NA ☐ Transportation: Type NA
☐ Commercial: Sq.ft NA Acres NA Employees NA ☐ Mining: Mineral NA
☒ Industrial: Sq.ft 18,375 Acres 1.12 Employees NA ☐ Power: Type NA Watts NA
☐ Educational: NA ☐ Waste Treatment: Type NA
☐ Recreational: NA ☐ Hazardous Waste: Type NA
☐ Other: NA ☐ OCS-related: Type NA

Funding (approx.): NA Federal \$ State \$ Total \$

Project Issues Discussed in Document

☐ Aesthetic/Visual ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☐ Agricultural Land ☐ Forest Land/Fire Hazard ☒ Septic Systems ☒ Water supply/groundwater
☒ Air Quality ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Archeological/Historical ☐ Minerals ☐ Soil erosion/compaction/grading ☐ Wildlife
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☐ Growth Inducing
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Land Use
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☒ Cumulative Effects
☐ Fiscal ☒ Recreation/Parks ☐ Vegetation ☐ Other _____

Present Land Use/Zoning/General Plan Designations: Commercial Service /

Project Description: Request by Rick Centner for a Conditional Use Permit to allow a phased commercial development including Phase 1) a 30,000 square foot vehicle storage area, 4 shell buildings totalling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit; Phase 2) two additional shell buildings totalling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area; and Phase 3) four additional shell buildings totalling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel in the first phase of development. The proposed project is in the Commercial Services land use category and is located at 538 Sandysdale Drive, on the southeast portion of the intersection of Sandysdale Drive and Briarwood Lane, in the community of Nipomo. The site is in the South County Inland planning area.

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Reviewing Agencies Checklist

KEY

S = Document sent by lead agency

X = Document sent by SCH

SD = Suggested distribution

Resources Agency (CD)

Boating & Waterways

Coastal Commission

Coastal Conservancy

Colorado River Board

Conservation (CD)

Fish & Game

Forestry & Fire Protection

Office of Historic Preservation

Parks & Recreation (CD)

Reclamation Board

S.F. Bay Conservation & Development Commission

Water Resources (DWR)

Business, Transportation & Housing

Aeronautics (CD)

California Highway Patrol

CALTRANS District #5 (CD)

Department of Transportation Planning(headquarters) (CD)

Housing & Community Development (CD)

Food & Agriculture (CD)

Health & Welfare

Health Services _____

State & Consumer Services

General Services

OLA (Schools) (CD)

Environmental Protection Agency

Air Resources Board (CD)

California Waste Management Board

SWRCB: Clean Water Grants

SWRCB: Delta Unit

SD SWRCB: Water Quality

SWRCB: Water Rights

Regional WQCB# _____ (Central Coast Region)

Youth & Adult Corrections

Corrections

Independent Commissions & Offices

Energy Commission

Native American Heritage Commission

Public Utilities Commission

Santa Monica Mountains Conservancy

State Lands Commission

Tahoe Regional Planning Agency

OTHER _____

Public Review Period (to be filled in by lead agency)

Starting Date 11/01/04

Ending Date 12/01/04

Signature _____

Date _____

Lead Agency (Complete if applicable): County of San Luis Obispo

Consulting Firm: _____

Firm's Address: _____

City/State/Zip: _____

Contact: _____

Phone: _____

Applicant: _____

Address: _____

City/State/Zip: _____

Phone: _____

For SCH Use Only:

Date Received at SCH _____

Date Review Starts _____

Date to Agencies _____

Date to SCH _____

Clearance Date _____

Notes:

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (BP)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-546

DATE:

PROJECT/ENTITLEMENT: Centner Conditional Use Permit D020184D

APPLICANT NAME: Rick Centner

ADDRESS: 631 Sandydale Dr., Nipomo, CA, 93444

CONTACT PERSON: Westland Engineering

Telephone: 805-541-2394

PROPOSED USES/INTENT: Proposal by Rick Centner for a Conditional Use Permit to allow a phased commercial development. The first phase includes a 30,000 square foot vehicle storage area, 4 shell buildings totalling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit. The second phase includes 2 additional shell buildings totalling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area. The third phase includes 4 additional shell buildings totalling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel.

LOCATION: The proposed project is in the Commercial Services land use category and is located at 538 Sandydale Drive, in the community of Nipomo. The site is in the South County Inland planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: Regional Water Quality Control Board
, Environmental Health

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project.

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Brian Pedrotti

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: _____

County: San Luis Obispo

Project No. D020184D

Project Title: Centner Conditional Use Permit

Project Applicant

Name: Rick Centner

Address: 631 Sandydale Dr.

City, State, Zip Code: Nipomo, CA 93444

Telephone #: 805-929-3600

Please remit the following amount to the **County Clerk-Recorder:**

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ <u>25.00</u>

Total amount due:

AMOUNT ENCLOSED: _____

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Centner Conditional Use Permit **ED 04-546**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brian Peppert
Prepared by (Print)

[Signature]
Signature

9/16/05
Date

Steven McMaskers
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator
(for)

9/30/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Rick Centner for a Conditional Use Permit to allow a phased commercial development including Phase 1) a 30,000 square foot vehicle storage area, 4 shell buildings totalling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit; Phase 2) two additional shell buildings totalling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area; and Phase 3) four additional shell buildings totalling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel in the first phase of development. The proposed project is in the Commercial Services land use category and is located at 538 Sandydale Drive, on the southeast portion of the intersection of Sandydale Drive and Briarwood Lane, in the community of Nipomo. The site is in the South County Inland planning area.

ASSESSOR PARCEL NUMBER(S): 091-326-051

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Commercial Service

COMBINING DESIGNATION(S): None

EXISTING USES: Tree service company, accessory structures

TOPOGRAPHY: Nearly level

VEGETATION: Grasses

PARCEL SIZE: 1.12 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Suburban; residential

East: Commercial Service; commercial use

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South: Commercial Service; commercial use	West: Residential Suburban; residential
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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on the south side of Sandydale Road. The project site consists of an existing tree service company with numerous temporary accessory structures and vehicles. The surrounding area is characterized by commercial uses to the east and south, and residences to the north and west. Highway 101 is located approximately 500 feet to the east. Significant stands of eucalyptus trees remain in the project area, including on the residential properties to the north and west.

Impact. The project site will have minimal impacts to views from Highway 101. Numerous existing commercial buildings screen the site from view of the highway. However, buildings and materials have the potential to be visible from adjacent residential properties to the north and west. The proposed buildings are approximately 16 feet in height, and will be constructed of metal siding and fascia. Outdoor vehicle storage and associated lighting is proposed for a majority of the site in the first phase of development.

Mitigation/Conclusion. To minimize visual impacts of the project on adjacent properties, mitigation measures have been incorporated to enhance its compatibility with the surrounding environment. The applicant has included a masonry sound wall (also see Noise discussion below) along the west property boundary and a six-foot tall wood fence along the Sandydale Road street frontage to provide a visual barrier from adjacent properties. The proposed noise wall shall be located so that there will be no impacts to existing eucalyptus trees on the west side of the property. A lighting plan will be required to ensure that lighting and glare impacts are minimized through the use of shields.

Architectural elevations have been revised to provide a visual softening of the front of the building, which includes a stepped-down front entrance and awning and windows. Implementation of these measures would mitigate potential visual impacts to less than significant.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: Oceano sand, (0 - 9 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station information, the trend in air quality in the general area is improving. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NO_x) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM₁₀) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NO_x (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. The proposed project site is located adjacent to existing residential development. Residential areas are sensitive to air pollution, including both construction and operational emissions. The project would result in approximately 1.12 acres of site disturbance. The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project.

As identified by the APCD, air quality impacts during construction include the creation of fugitive dust (PM₁₀), the potential release of asbestos during demolition and removal of pipelines, the potential release of naturally occurring asbestos during grading, and un-permitted developmental burning. Operational emissions would be determined when a specific development proposal application is submitted.

Fugitive Dust (PM₁₀). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact.

Material-Containing Asbestos. Asbestos-containing materials could be encountered during the demolition, relocation, or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines. If asbestos is present in onsite structures, proposed demolition activities would result in a release of asbestos, and a potentially significant air quality impact.

Naturally-Occurring Asbestos. According to the APCD, the project site is located in an area containing potentially naturally occurring asbestos, serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic air contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning under restrictions may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Clean Air Plan Consistency. The proposed project would be located within an existing urban area, and is consistent with the Clean Air Plan.

Mitigation/Conclusion. To mitigate for potential air quality impacts, the applicant has agreed to implement the following measures.

Fugitive Dust (PM₁₀). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where

possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible.

Material-Containing Asbestos. Prior to demolition of onsite structures or underground pipes, the applicant has agreed to comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to: 1) APCD notification; 2) completed asbestos survey conducted by a Certified Asbestos Inspector, and; 3) applicable removal and disposal requirements of identified asbestos-containing materials.

Naturally-Occurring Asbestos. Prior to grading or site disturbance, the applicant has agreed to retain a qualified individual to conduct a geologic investigation for naturally-occurring asbestos. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include, but are not limited to implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to levels of insignificance.

4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

The project site occurs within the Santa Barbara Vernal Pool Region designated by the California Department of Fish and Game and is also in an area with identified vernal pool habitat. Furthermore, the project site is in an area designated as critical habitat for the vernal pool fairy shrimp

(*Branchinecta lynchi*), a small aquatic crustacean that is listed as a federal threatened species and is associated with vernal pool habitat. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

Impact. A site visit of the project site was made on October 1, 2004 by County Planning Staff to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At this time, no evidence of vernal pools or potential areas for ponded water was observed. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. Therefore, there was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools.

Plants: Sand Mesa Manzanita (*Arctostaphylos rudis*) app. 0.2 mile west and 0.6 mile south of property

Wildlife: None

Habitats: None

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A *Phase I Archaeological Survey* (Thor Conway; June 15, 2004) did not identify presence of cultural resources on the project site. Impacts to archaeological resources are not expected. In the event archaeological resources are discovered during any construction activities, construction activities shall cease and the County will be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with federal and state law.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is not known. The liquefaction potential during a ground-shaking event is not known. Active faulting is known to exist near the subject property app. 0.4 mile northwest. The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE - The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Nipomo Creek) from the proposed development is approximately 0.25 mile to the east. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained.

SEDIMENTATION AND EROSION – The soil types include: Oceano sand, (0 - 9 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

Projects involving more than one acre (43,560 sq. ft.) of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. Grading for and construction of road improvements and future development of the project site would create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Total grading activities and site disturbance would exceed one acre, and would be subject to County Ordinance requirements (Section 22.52.090 Erosion and Sedimentation Control Plan) and the NPDES program.

Mitigation/Conclusion. Pursuant to Clean Water Act regulations, the applicant is required to prepare and implement a SWPPP during construction to minimize off-site sedimentation and erosion impacts. Based on the above discussion and implementation of a SWPPP, geology and soils impacts would be mitigated to insignificance and no further measures are required.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project was reviewed by CDF/County Fire. CDF recommended fire safety measures including fire flow requirements, fire hydrants, and access road standards. These measures will reduce the safety impacts to a level of insignificance. The project is not expected to conflict with any regional evacuation plan.

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Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in a commercial service area that is adjacent to the Residential Suburban category to the north and west. The nearest adjacent property includes a residence approximately 60 feet to the west behind a fence and row of eucalyptus trees. Another residence is approximately 100 feet to the north across Sandydale Road.

Impact. The *County Noise Element* states that the maximum acceptable exterior noise level for residential development is 60 dB Ldn and that the maximum acceptable interior noise level is 45 dB. Noise impacts are anticipated with the proposed commercial uses. Residential areas along the western side of the project site may be exposed to operational noise impacts unless adequate noise buffering is in place to reduce noise levels. Restrictions on the location of noise-generating activity to within the proposed building would reduce the amount of noise impact to adjacent properties.

Mitigation/Conclusion. In order to reduce future operational noise levels, the applicant has agreed to install a six-foot tall masonry sound wall along the western property boundary. Additionally, all operational activity except for storage of materials will be restricted to within the proposed buildings at all times. Based on the above discussion and implementation of mitigation measures, the noise level on adjacent property is anticipated to be reduced to 60 dB Ldn or less for outside noise level and 45 dB or less for interior noise level, and no significant impacts are anticipated.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. POPULATION/HOUSING -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablec) *Create the need for substantial new housing in the area?*☐☐☒☐d) *Use substantial amount of fuel or energy?*☐☐☒☐e) *Other:* _____☐☐☐☐

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

The County has recently adopted a revised Housing Element. One of the new Housing Element Programs (Program HE 1.9) indicates that the County will prepare an Inclusionary Housing Ordinance during 2005. Upon adoption of the ordinance, future commercial development may be required to pay a fee to support development of new affordable housing.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Fire protection?*☐☒☐☐b) *Police protection (e.g., Sheriff, CHP)?*☐☒☐☐c) *Schools?*☐☒☐☐d) *Roads?*☐☒☐☐e) *Solid Wastes?*☐☒☐☐f) *Other public facilities?*☐☐☒☐g) *Other:* _____☐☐☐☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo FFS) is approximately 1 mile to the southwest. The closest Sheriff substation is in Oceano, which is approximately 11 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Sandydale Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works. No significant traffic-related concerns were identified.

Impact. The Public Works Department is currently consulting with Caltrans regarding future improvements to the Highway 101 and Tefft Street interchange. Based on traffic calculations and analysis completed by the Public Works Department, the Level of Service at the Highway 101 and Tefft Street interchange is LOS D (Richard Marshall; April 8, 2005). All other existing roadways and intersections affected by the proposed project are currently operating at acceptable levels of service for urban roadways. The Public Works Department reviewed the proposed development, and determined that no project-specific traffic impacts would occur (Mikel Goodwin; April 15, 2005).

The continued development of Nipomo, including the proposed project, would increase the traffic demands on West Tefft Street, and the Highway 101 and Tefft Street interchange. Based on consultation with the Public Works Department, the Level of Service at the interchange would decrease to LOS F under the cumulative build-out scenario. The County has developed the South County Road Fee Program to collect fees to be used towards road improvement projects within Nipomo and South County, including future improvements to the Highway 101 and Tefft Street interchange.

Mitigation/Conclusion. The proposed project is located within the Area 1 of the South County Fee Area. Prior to issuance of permits on the project site, the applicant would be required to contribute to the fee program. The fees contributed to this program would partially finance the implementation of improvements to the Highway 101 and Tefft Street interchange, and mitigate cumulative impacts resulting from future development. Implementation of this measure would mitigate potential impacts to less than significant, and no additional mitigation measures are required.

**13. WASTEWATER - Will the
project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Development of the project site includes the installation of an on-site wastewater system. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Oceano sand. Based on the NRCS Soil Survey, the main limitations of this soil for wastewater effluent include:

Poor filtering characteristics. This characteristic indicates that due to the very permeable soil, without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent.

Steep slopes. This characteristic indicates that portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. The proposed project site does not contain steep slopes and is not located near any steep slopes, therefore this characteristic is not applicable to the proposed project site.

The proposed project was referred to County Environmental Health and it was determined that with adequate soil testing an individual wastewater system, designed and constructed to meet County and State requirements, would be adequate to serve the development.

Mitigation/Conclusion. Prior to final inspection of the wastewater system, the applicant will need to submit the results of soil borings and percolation testing at leach line location to show compliance with the Central Coast Basin Plan, which should provide adequate measures to reduce potential impacts to less than significant levels.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Surface Water. The proposed project site is not located near any sources of surface water. The topography of the site is nearly level. Standard drainage measures and preparation of a SWPPP (refer to Section 6) would be required for the proposed project and would provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels.

Water Usage. The applicant proposes to use the NCSD as its water source. The NCSD uses water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area"; 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance. The County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for this area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.

A planning area standard will be enacted by which building permits will be required to include the full range of water conservation measures, including both interior and outdoor measures. Interior measures would include: low water-use toilets, showerhead, faucets; low water-use clothes washers; automatic shut-off devices for bathroom and kitchen faucets, and; point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems. Outdoor measures would include: low water-use landscape; limited landscape area; limited turf area; low water-use plant materials; hardware; soil moisture sensors; drip irrigation system; separate meter for outdoor water management, and; an operating manual to instruct homeowner how to use and maintain water conservation hardware.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 1.8 percent growth limit. Low water-use landscapes will be required

for all developer-installed landscapes on parcels of five acres or less in any land use category (currently, this provision applies to parcels of two acres or less). Homeowner provided landscaping for projects approved with Minor Use Permits, Conditional Use Permits or Site Plans must also comply with Section 22.16.020. Section 22.16.030 will also apply to projects with a potential total irrigated landscape area of 1,500 square feet or greater (currently, projects less than 2,500 square feet are exempt). In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

Mitigation/Conclusion. To conserve water, future development would be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240) in addition to the measures described above. The ordinance requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use re-circulating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter. Based on implementation of required water conservation measures, water impacts would be reduced to insignificance and no further measures are necessary.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- | | | | | | |
|----|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Nipomo Community Service District	Attached
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Conway, Thor. June 15, 2004. *A Phase I Archaeological Survey of the Centner Center Property, Sandysdale Drive, Nipomo, San Luis Obispo County.*

Exhibit B - Mitigation Summary Table

The following mitigation measures shall be shown on an additional map sheet prior to recordation of the final map.

Air Quality

AQ-1 Prior to issuance of grading and construction permits for both road improvements and individual lot development, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.

- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-2 Prior to issuance of grading and construction permits, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the Parks Division shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.

AQ-3 In the event no technically feasible alternatives are available other than developmental burning, the applicant shall contact the APCD and California Department of Forestry to obtain a burn permit and comply with permit requirements.

Geology and Soils

GS-1 Prior to issuance of construction permits, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP).

Noise

N-1 Prior to final inspection, the applicant shall construct a six-foot solid masonry wall along the western property boundary to provide a noise level of 60 dB Ldn or less outside and a noise level of 45 dB or less inside. The wall shall be located so that there will be no impacts to existing eucalyptus trees on the west side of the property.

- N-2 Continuing for the life of the project,** the applicant shall ensure that no significant noise-generating activities occur outside of the buildings on the project site.

Wastewater

- WW-1 Prior to recordation of the final map,** the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met would be required prior to issuance of construction permits.

Water

- W-1 Prior to issuance of construction permits,** construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
- W-2 Prior to final inspection,** for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance,** the measure(s) to be used shall be shown on all applicable plumbing plans.
- W-3 Prior to recordation of the final map,** the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Environmental Health Division.

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**DEVELOPER'S STATEMENT FOR THE
CENTNER CONDITIONAL USE PERMIT D020184D**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AIR QUALITY

AQ-1 Prior to issuance of grading and construction permits for both road improvements and individual lot development, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.

- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-2 Prior to issuance of grading and construction permits, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the Parks Division shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

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- AQ-3** In the event no technically feasible alternatives are available other than developmental burning, the applicant shall contact the APCD and California Department of Forestry to obtain a burn permit and comply with permit requirements.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District and CDF shall verify compliance.

GEOLOGY AND SOILS

- GS-1** Prior to issuance of construction permits, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP).

Monitoring: The Planning and Building Department shall verify compliance.

NOISE

- N-1** Prior to final inspection, the applicant shall construct a six-foot solid masonry wall along the western property boundary to provide a noise level of 60 dB Ldn or less outside and a noise level of 45 dB or less inside. The wall shall be located so that there will be no impacts to existing eucalyptus trees on the west side of the property.

Monitoring: The Planning and Building Department shall verify compliance.

- N-2** Continuing for the life of the project, the applicant shall ensure that no significant noise-generating activities occur outside of the buildings on the project site.

Monitoring: The Planning and Building Department shall verify compliance.

WASTEWATER

- WW-1** Prior to recordation of the final map, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met would be required prior to issuance of construction permits.


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Monitoring: The Planning and Building Department shall verify compliance in consultation with the County Environmental Coordinator.

- W-1 Prior to issuance of construction permits**, construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
- W-2 Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). Prior to permit issuance, the measure(s) to be used shall be shown on all applicable plumbing plans.
- W-3 Prior to recordation of the final map**, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Environmental Health Division.

Items W-1 through W-3 monitoring: The Planning and Building Department shall verify compliance in consultation with the County Environmental Coordinator.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

Sept 21, 05
Date

RICK S. CENTNER
Name (Print)

NIPOMO COMMUNITY**BOARD MEMBERS**

LARRY VIERHEILIG, PRESIDENT
ED EBY, VICE PRESIDENT
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
MICHAEL WINN, DIRECTOR

**SERVICES DISTRICT****STAFF**

MICHAEL LeBRUN, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
DAN MIGLIAZZO, UTILITY SUPERVISOR
JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: NipomoCSD.com

September 15, 2005

RECEIVED SEP 13

Westland Engineering
Attention: Ted Elder
3480 S. Higuera St., #130
San Luis Obispo, CA 93401

SUBJECT: INTENT-TO-SERVE WATER and SEWER SERVICE
APN 091-326-051, 538 SANDYDALE, NIPOMO (CENTNER)

An Intent-to-Serve (ITS) letter for water and sewer service for APN 091-326-051, a single lot, two-building commercial development in Nipomo is granted from the Nipomo Community Services District (District) with the following conditions:

- Sewer service is NOT required by the District for this project.
- Water service for the entire project shall be served by a single master meter for indoor uses and separate meter(s) for landscape areas.
- On-site fire service (e.g. fire sprinklers) requires a dedicated service lateral. CDF of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval. (see ITS expiration conditions below)
- Enter into a Plan Check and Inspection Agreement, provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- Applicant shall physically investigate whether a District-owned waterline exists underlying the eastern parcel boundary. This investigation shall take place with District personnel present. If the waterline exists the applicant will be required to offer an easement overlying the line and revise development plans accordingly.
- Easements required for water and sewer improvements, which will be dedicated to the District, shall be offered to the District prior to final improvement plan approval.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- Applicant shall make a non-refundable deposit ("Deposit") in an amount equal to the then calculated Fees for Connection at the time the District issues a Will-Serve Letter.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.

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Centner
APN 091-326-051
Intent-to-Serve
September 15, 2005

Page Two

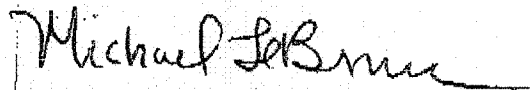
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of all water and sewer improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and that the District has accepted improvements to be dedicated to the District, if applicable.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the applicant to provide District with written verification that County application for the project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Two (2) years. However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.

This "Intent-to-Serve" letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked or modified as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

Please call with any questions.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael LeBrun
General Manager

C:
Rick Centner
Owner
631 Sandydale Drive
Nipomo, CA 93444



64
CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

February 25, 2003

RECEIVED

FEB 26 2003

SLO CO PLANNING & BLDG.

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear South County Team,

COMMERCIAL FIRE SAFETY PLAN

Name: Centner Project Number: D020184D

The Department has reviewed the development plans submitted for the proposed storage yard and office project located at 538 Sandydale Dr., Nipomo. The property is located within a high fire hazard severity area, and will require a minimum 6-8 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

PORTABLE FIRE EXTINGUISHER(S)

- Portable fire extinguishers shall be installed and comply with the Uniform Fire Code (2000) Section 1002.1, Standard 10-1.
- The contractor shall be licensed by the State Fire Marshal.
- The minimum requirements will be determined during the building permit/fire safety plan process.

COMMERCIAL WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended and Appendix III-A.
- The proposed project shall provide a minimum 1,500 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

- Several fire hydrants shall be required.
- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

- Access road width shall be 18 feet.
- The project shall provide a minimum 20-foot fire lanes for emergency vehicle access.
- All road and driveway surfaces shall be all weather.
- All surfaces shall be constructed to meet a load capacity of 20 tons.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

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ADDRESSING

- Legible address numbers shall be placed on all structures.
- Legible address numbers shall be located at the driveway entrance.

FINAL INSPECTION

The project will require final inspection. Please allow five (5) working days for final inspection. When the safety requirements have been completed, call Fire Prevention at (805) 543-4244, extension 20, to arrange for a final inspection. Currently South San Luis Obispo County inspections occur on Tuesdays and Thursdays. North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Richard S. Centner, owner

BDP

6-43



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

PROJECT REFERRAL

JAN 22 2005

DATE: February 26, 2004 June 17, 2005

TO: APCD Env. Health D020184D - Revised Plans
Project Name and Number

FROM: South County Team
Development Review Section (Phone 788-2788) ()

PROJECT DESCRIPTION: Commercial storage and minor vehicles repairs as necessary, modular office building. Proposed shell building to be constructed in 3 phases. These are revised plans from the original referral on Jan. 28, 2003.

Return this letter with your comments attached no later than: March 18, 2004 June 29, 2005

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

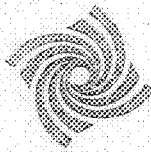
Provide stock conditions for community water and on-site septic. Soil testing is recommended. The applicant shall submit plans for the vehicle repair area to the hazardous materials section in this office prior to issuance of the permit. Thank you.

6/22/05
Date

Laurie Salo
Name

781-5551
Phone

G:\Current\Geo Teams\Forms\Project Referral



6-44
AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

JUN 27 2005

DATE: June 23, 2005

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Jan Downs Vidalin *JDV*
San Luis Obispo County Air Pollution Control District

SUBJECT: Centner Development Plan, Nipomo (D020184D)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 538 Sandydale Dr. in Nipomo. This is a phased in project to establish shell buildings to house commercial service businesses, an office and a caretaker's unit. The proposed businesses include commercial storage and a minor vehicle repair facility. The following are APCD comments that are pertinent to this project.

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE MITIGATION:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommends the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible,
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- All dirt stock pile areas should be sprayed daily as needed, and
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

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Centner Development Plan, Nipomo
Page 2 of 3
June 23, 2005

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Portable Equipment Registration

Based on the information provided, we are unsure if equipment present during construction will require statewide portable equipment registration or an APCD permit. The following list of equipment requiring registration or APCD permits is provided as a guide, but should not be viewed as exclusive.

- Power generation
- Compressors
- Woodchippers/tub grinders

Please contact David Dixon of the APCD's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements for your project.

OPERATIONAL PHASE MITIGATION:

Mixed Use, Incompatible Uses, Permits

Based on the information provided in the project referral is not clear what will be stored or what activities will be conducted in the commercial storage facility. The project referral does indicate vehicle repairs will be conducted at the site. It is essential that individual uses be carefully evaluated prior to issuance of a county use permit. The following uses could be problematic if

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Centner Development Plan, Nipomo
Page 3 of 3
June 23, 2005

residential quarters (i.e. caretaker's unit(s)) are included in the same building or in close proximity to these activities.

- Auto and vehicle repair services
- Furniture refurbishing/refinishing
- Any type of spray paint operation

The proposed businesses may require APCD approval or permit. Potential uses that could be subject to APCD permit approval include, but are not limited to the following:

- Auto and vehicle repair services
- Fuel dealers
- Spray Painting Operations
- Metal industries, fabrication
- Small scale manufacturing

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

AAG/AJM/JDV/

cc: David Dixon, SLOAPCD Engineering Division
Karen Brooks, SLOACD Enforcement Division
Applicant

Attachment 1: Naturally Occurring Asbestos Construction & Grading Project – Exemption Request Form

h:\oistplan\response\3037.doc

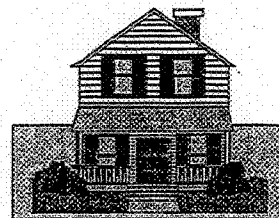
6-47
Naturally Occurring Asbestos – Construction & Grading
Project – Exemption Request Form

Send To:

Attachment 1

San Luis Obispo County Air
Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401

Fax: (805) 781-1002



Applicant Information/ Property Owner		Project Name	
Address		Project Address and /or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout "ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements".

APPLICANT MUST SIGN BELOW:

I request the San Luis Obispo Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature:

Date:

OFFICE USE ONLY - APCD Required Element – Geological Evaluation

APCD Staff:		Intake Date:	OIS Tracking Number:
Approved	Not Approved	APCD Staff:	Date Reviewed:
Comments:			



6-48
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BP
PROJECT REFERRAL

DATE: February 26, 2004
TO: NCSO D020184D - Revised Plans
FROM: South County Team
Development Review Section (Phone 788-2788) ()

PROJECT DESCRIPTION: Commercial storage and minor vehicles repairs as necessary, modular office building. Proposed shell buildingsto be constructed in 3 phases. These are revised plans from the original referral on Jan. 28, 2003.

Return this letter with your comments attached no later than: MARCH 18, 2004

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

Need to Request Service from NCSO (Landscaping)

3-8-04 D Jones 929-1133
Date Name Phone
G:\Current\Geo Teams\Forms\Project Referral



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McL

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

BP?
NEK

PROJECT REFERRAL

VICTOR HOLANDA, AICP
DIRECTOR

FEB 26 2004

DATE: February 26, 2004

FROM: Public Works

D020184D - Revised Plans

Project Name and Number



South County Team

Development Review Section (Phone 788-2788) ()

PROJECT DESCRIPTION: Commercial storage and minor vehicles repairs as necessary, modular office building. Proposed shell buildings to be constructed in 3 phases. These are revised plans from the original referral on Jan. 28, 2003.

Return this letter with your comments attached no later than: March 18, 2004

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

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PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

RECOMMEND APPROVAL - Street improvements will be required with phase I. Road Fees will be collected with each Bldg Permit. Drainage Plan for phase I can include whole project or it can be modified and resubmitted for each phase.

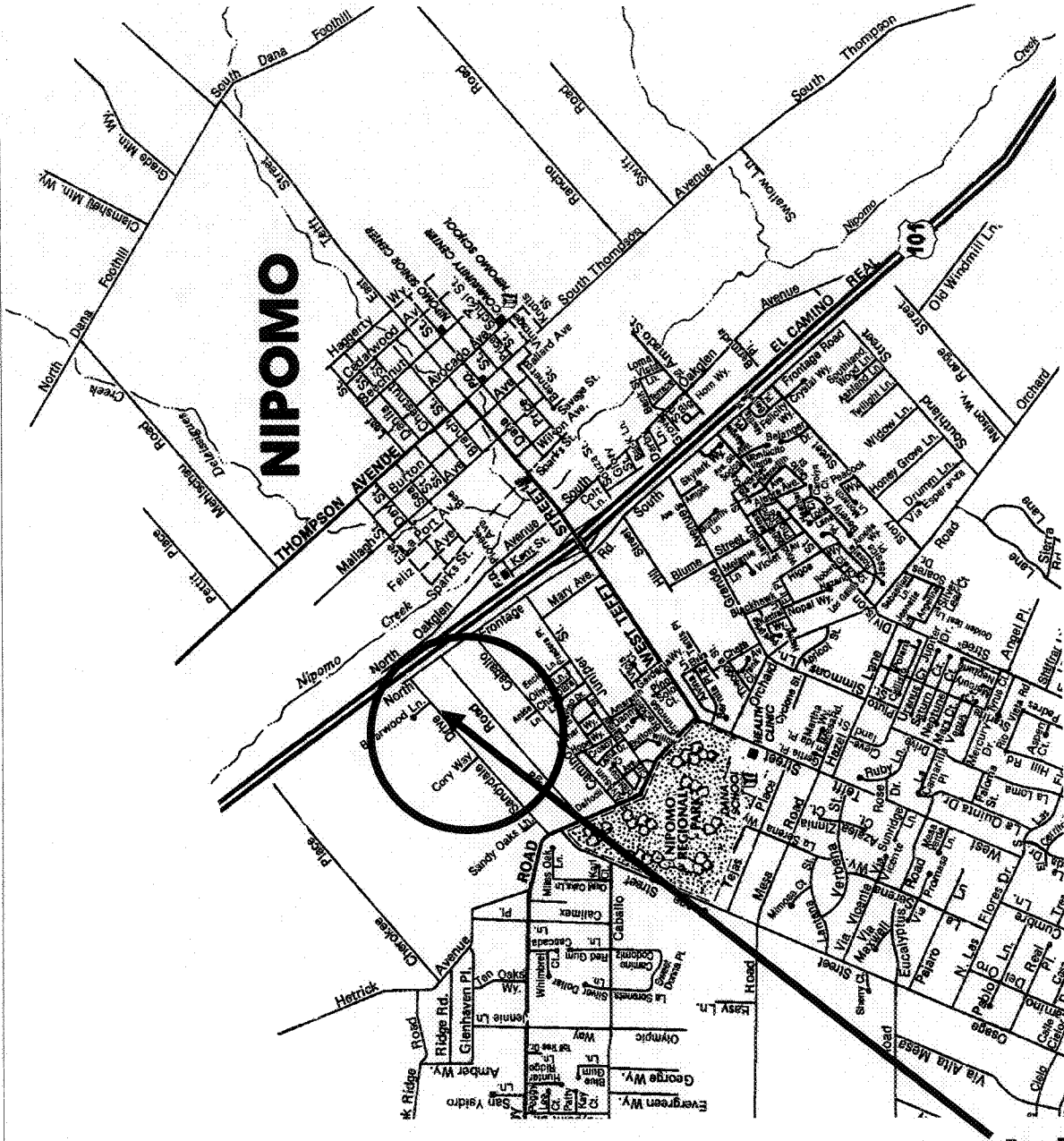
19 MARCH 2004
Date

Goodwin
Name

5252
Phone

G:\Current\Geo Teams\Forms\Project Referral

6-50



EXHIBIT

Vicinity Map



PROJECT

Conditional Use Permit
Center D020184D

SITE



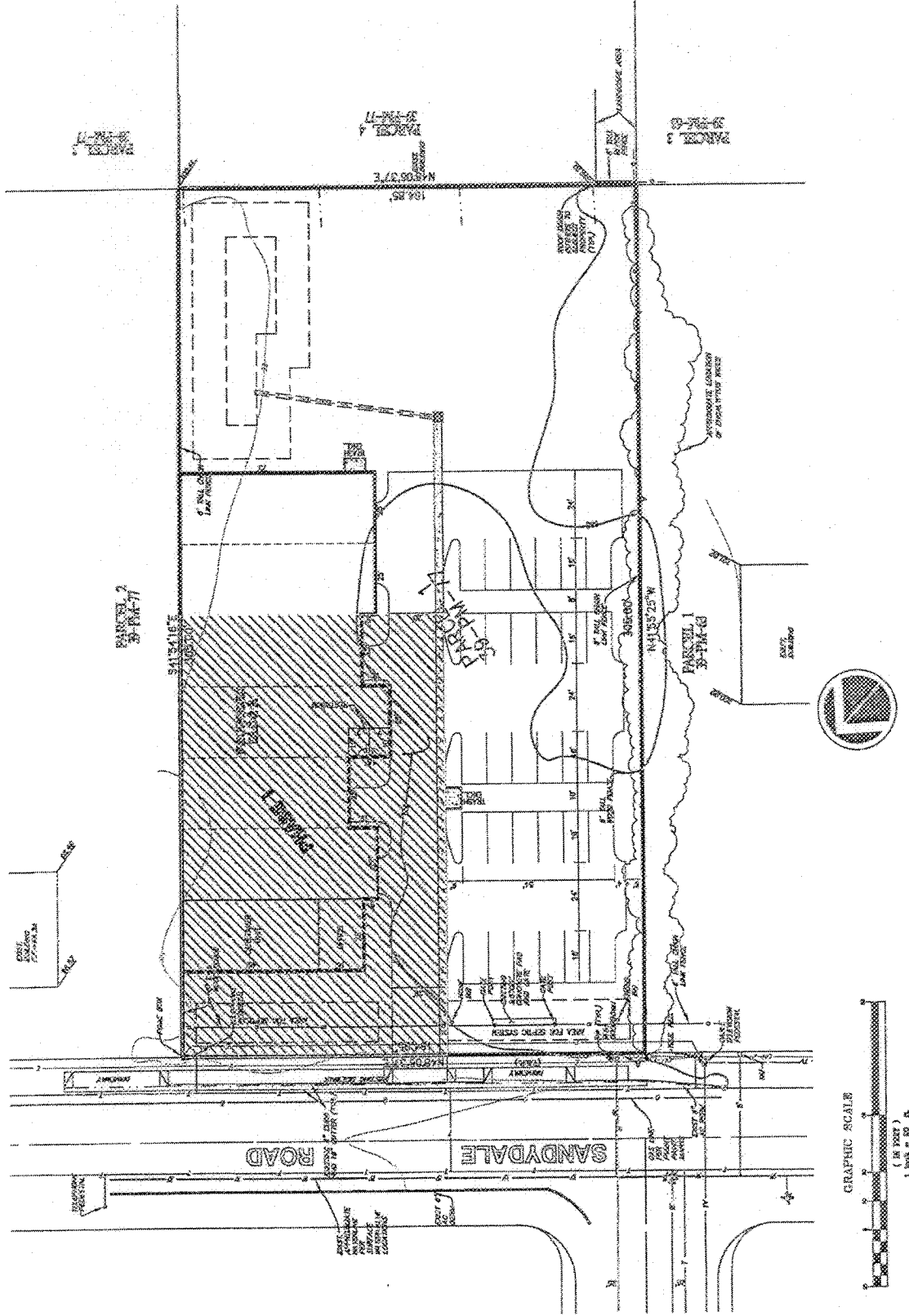
SITE

Land Use Category





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EXHIBIT

Development Plan



PROJECT

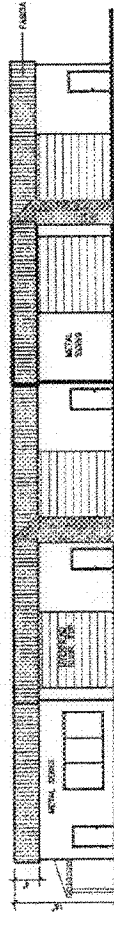
Conditional Use Permit
Center D020184D



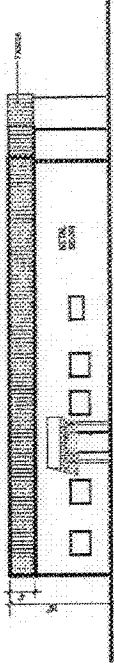
Development Plan

PROJECT
Conditional Use Permit
Centner D020184D

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SOUTHWESTERLY ELEVATION



NORTHWESTERLY ELEVATION

PROJECT

Conditional Use Permit
Center D020184D

EXHIBIT

Elevation



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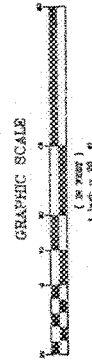
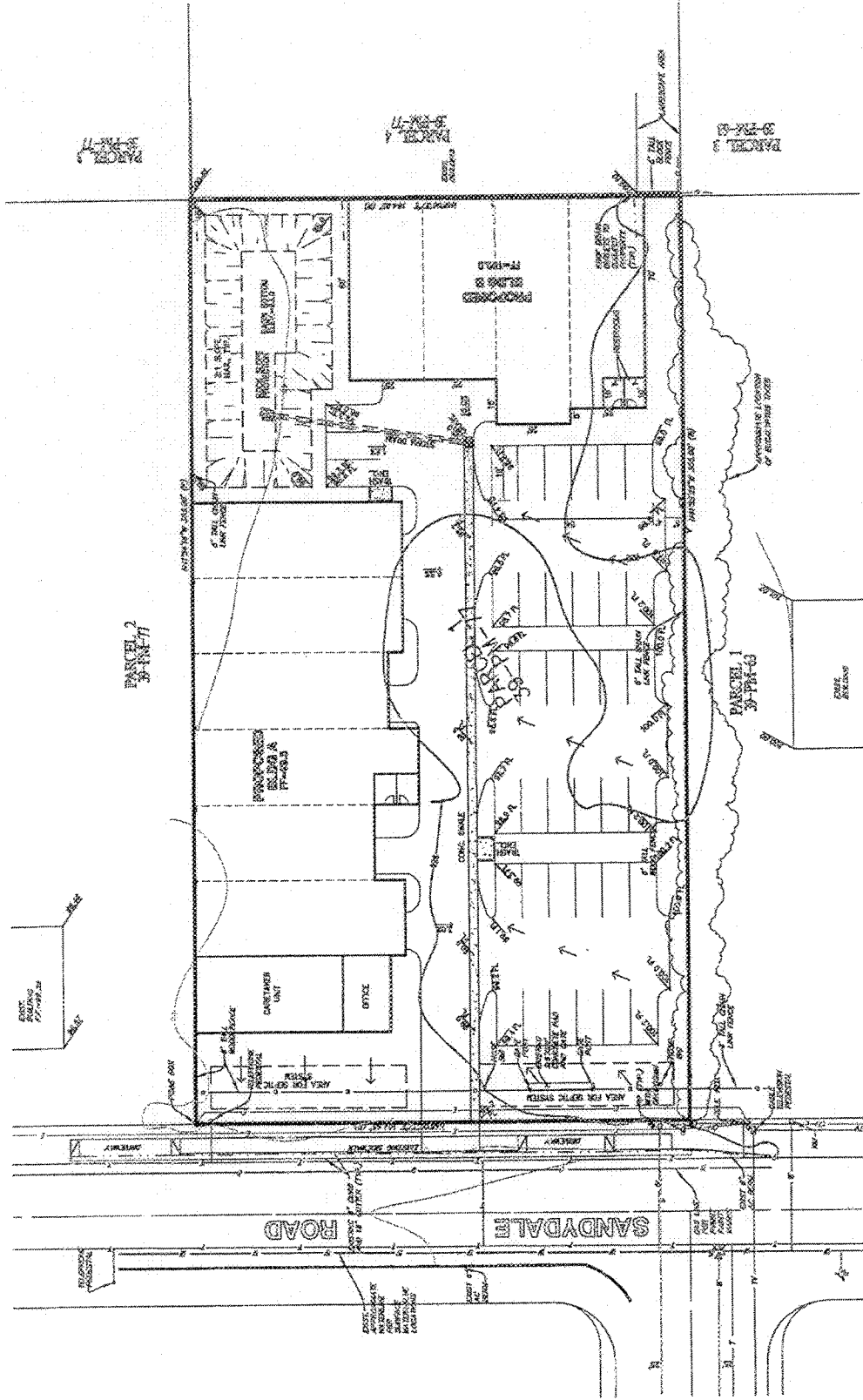
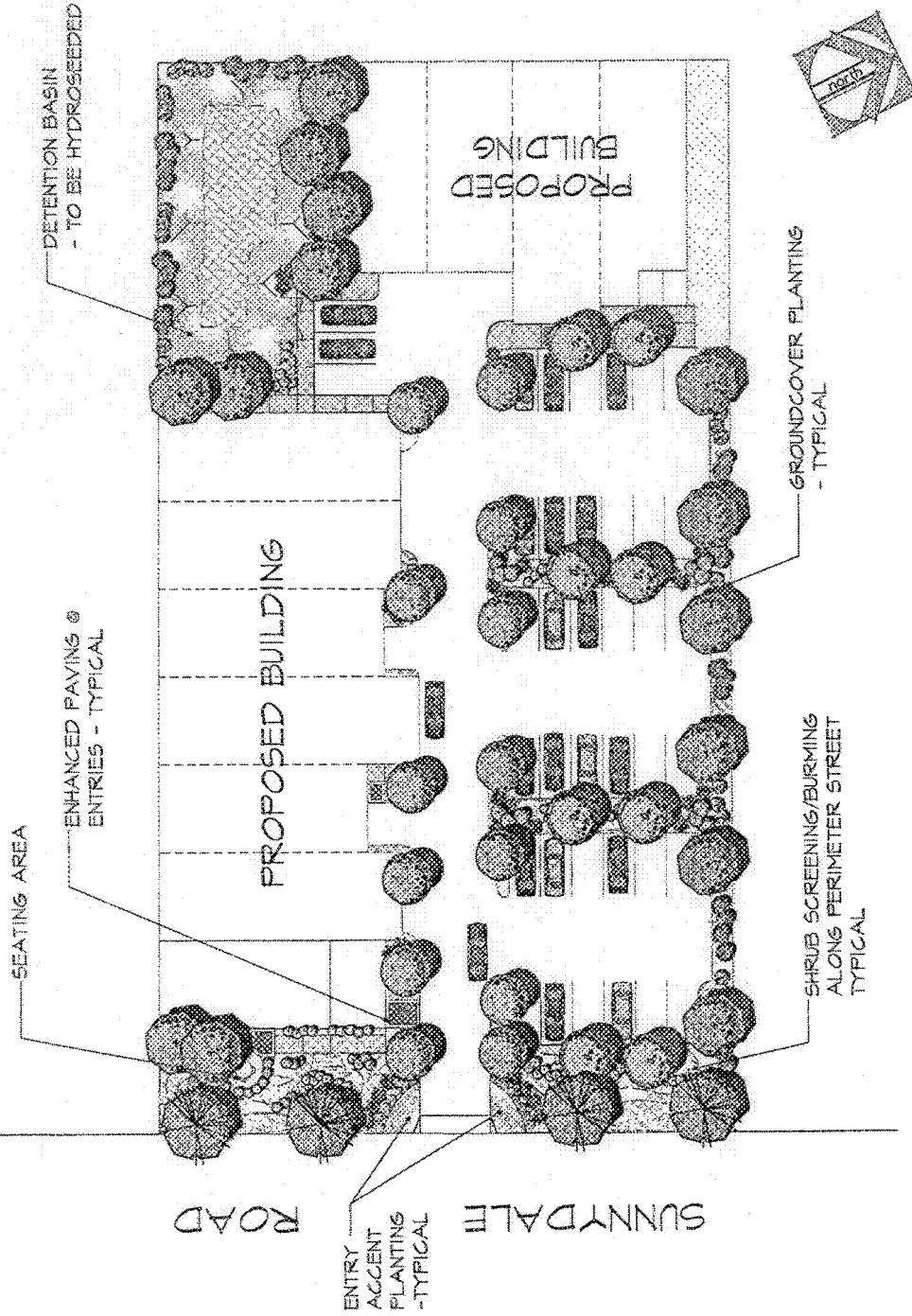


EXHIBIT
 Grading Plan



PROJECT
 Conditional Use Permit
 Centner D020184D

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PROJECT

Conditional Use Permit
Centner D020184D

EXHIBIT

Centner Center Diagram

